

ENTERED

June 13, 2019

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

WILLIAM LEE GRANT, a/k/a
WILLIAM LEE GRANT, II,

Plaintiff,

v.

CLERK OF COURT,

Defendant.

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Civil Action No. H-19-2014

MEMORANDUM OPINION AND ORDER

Plaintiff William Lee Grant, a/k/a William Lee Grant, II, a non-prisoner proceeding *pro se* and requesting leave to proceed *in forma pauperis*, filed this civil lawsuit against the Clerk of Court for the Southern District of Texas. He complains that the Clerk of Court failed to issue and serve summons in *Grant v. U.S. Dep't of Transportation*, C.A. No. H-18-1947 (S.D. Tex.), which resulted in dismissal of the case on May 7, 2019, for plaintiff's failure to serve the defendants.

Plaintiff is no stranger to the federal court system. A review of the online Public Access to Courts Electronic Records (PACER) system shows that plaintiff has filed nearly 200 *pro se* federal civil and miscellaneous lawsuits, transfers, and appeals nationwide, mostly over the past two or three years and all of which were resolved against him. To quote one recent federal court decision: "Plaintiff is a serial filer of frivolous litigation in various federal courts across the country, . . . the vast majority of [P]laintiff's cases [of which the

Court is aware] have been dismissed as frivolous under 28 U.S.C. § 1915(e).” *Grant v. U.S. Dep’t of Transp.*, No. 4:18-CV-00444-ALM-CAN, 2019 WL 1009408, at *1 (E.D. Tex. Jan. 28, 2019), *R. & R. adopted*, No. 4:18-CV-444, 2019 WL 1003641 (E.D. Tex. Mar. 1, 2019) (quoting *Grant v. U.S. Dep’t of Transp.*, No. 1:18-cv-00457-TSE-TCB (E.D. Va. May 1, 2018), *appeal dismissed as frivolous*, *Grant v. U.S. Dep’t of Transp.*, 740 F. App’x 333 (4th Cir. 2018) (unpublished).

More importantly, plaintiff is a sanctioned serial filer of frivolous litigation. On February 12, 2019, the United States District Court for the Central District of Illinois entered a \$2,800.00 sanctions order against plaintiff for his “flooding of federal dockets with frivolous lawsuits.” *In the Matter of William Lee Grant, II*, C.A. No. 3:19-CV-03025 (C.D. Ill. 2019). The PACER docket in that case indicates that the sanction has not been paid. Moreover, on June 12, 2018, the Northern District of Texas entered the following sanctions and preclusion order against plaintiff:

The court further ORDERS that plaintiff be, and is hereby, prohibited from filing any further actions *in forma pauperis* until he pays to the Clerk the sum of \$100.00 as a sanction for his continued filing of frivolous complaints and abuse of the privilege of seeking to proceed *in forma pauperis*.

Grant v. United States Dep’t of Defense, C. A. No. 4:18-cv-471 (N.D. Tex., Docket Entry No. 7). The online docket in that case shows that plaintiff has not paid the \$100.00 sanction.


The Fifth Circuit Court of Appeals has held that a federal district court may enforce the sanctions order of another federal district court. *Balawajder v. Scott*, 160 F.3d 1066, 1067–1068 (5th Cir. 1998); *Umar v. McVea*, 81 F.3d 157 (5th Cir. 1996) (affirming the

Southern District of Texas's policy of enforcing sanctions imposed by other Texas federal district courts). It is a matter of comity to honor the sanctions imposed by other districts in suitable situations, and the Court is of the opinion that the instant case stands as a suitable situation. Because plaintiff has failed to pay the \$100.00 sanction imposed against him by the Northern District of Texas, he is prohibited from filing this lawsuit *in forma pauperis*.

Accordingly, plaintiff's claims are **DISMISSED WITHOUT PREJUDICE** for his failure to pay the \$100.00 sanction imposed against him by the Northern District of Texas. Any and all pending motions are **DENIED**.

Plaintiff is **FURTHER WARNED** that he will be subject to additional sanctions, including additional monetary penalties and limitations on his ability to file lawsuits in federal court, if he continues to abuse judicial resources by persisting in filing repetitive and/or frivolous complaints and pleadings in the Southern District of Texas.

Signed at Houston, Texas, on this the 12th day of June, 2019.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE